

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 023070-139620US
<p>I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent and Trademark Office on: <u>April 24, 2009</u></p> <p>Signature <u>Lillian M. Montano</u></p> <p>Typed or printed name <u>Lillian M. Montano</u></p>		<p>In re Application of Michael J. Delwiche, et al.</p> <p>Application Number 10/566,077 Filed January 25, 2006</p> <p>For DETECTION OF SOMATIC CELLS IN MILK</p> <p>Art Unit 1637 Examiner Joyce Tung</p>

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 270
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor.
- assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)
- attorney or agent of record.
Registration number 54233 _____ 858-350-6100
Telephone number
- attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____ April 24, 2009
Date

Steven C. Koerber
Signature

Steven C. Koerber, Ph.D.
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

- *Total of 1 forms are submitted.